

PATENT

FILE NO.: R0288-00010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Chan-Chong et al.

App. Serial No.: 10/606,028

Examiner: Not Assigned

Filing date: June 25, 2003

Group Art Unit: 2154

For: METHOD AND SYSTEM FOR MONITORING PERFORMANCE OF
APPLICATIONS IN A DISTRIBUTED ENVIRONMENT**STATEMENT OF FACTS IN SUPPORT OF
FILING ON BEHALF OF NONSIGNING INVENTOR (HENRY TANG)**

I, Joseph L. Chan, aver as follows:

(1) I am a co-inventor in the above-captioned patent application. I am employed by Cyanea Systems Corp. ("Cyanea").

(2) Henry Tang is a co-inventor in this application. Said Henry Tang is a former employee of Cyanea. On or about October 28, 2003, I sent a letter, a copy of which is attached as Exhibit A, to the most recent address of Mr. Tang in Cyanea's files. This letter enclosed a form of Combined Declaration and Power of Attorney, a form of Assignment, and a copy of the above-captioned patent application as filed. The letter states that Mr. Tang's signature is required "on the Combined Declaration and Power of Attorney/Assignment." The letter stated that completion was needed by November 10, 2003.

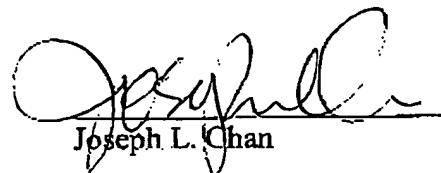
(3) The letter was sent to Mr. Tang by Certified Mail. Cyanea received a return receipt showing that Mr. Tang received the letter on November 1, 2003, and a copy of the return receipt is shown in Exhibit A.

I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like so made are

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PATENT**FILE NO.: R0288-00010**

punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements made jeopardize the validity of the application or any patent issued thereof.

Dated: 11/17, 2003
Joseph L. Chan

Cyanea

October 28, 2003

VIA CERTIFIED MAIL

Henry Tang
1751 Magnolia Way
Walnut Creek, California 94595

RE: U.S. Utility Patent Application No. 10/606,028

Inventor: James Chan-Shin Chong, et al
For: "METHOD AND SYSTEM FOR MONITORING PERFORMANCE
OF APPLICATIONS IN A DISTRIBUTED ENVIRONMENT"
Filed: June 25, 2003
DM File No.: R0288-00010

Dear Henry:

You are named as an inventor in the above referenced patent application. Your signature is required on the Combined Declaration and Power of Attorney/Assignment in order for the law firm to complete Cyanea's patent application. Under the terms and conditions of the Cyanea Systems Corp. Confidential Information and Invention Assignment Agreement you signed at the start of your employment, you are obligated to provide this information. The following documents are enclosed:

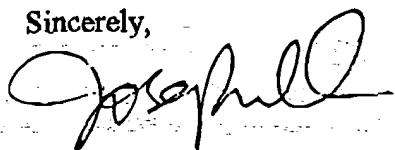
1. Patent application
2. Combined Declaration and Power of Attorney/Assignment
3. Copy of your executed Confidential Information and Invention Assignment Agreement

You must sign and date the Assignment in the presence of a notary. If you choose to complete this notary process on your own, Cyanea will reimburse you for any incurred notary expenses as well as expedited overnight FedEx charges for delivery to Cyanea. If you would like, Aundrea Cooper can arrange for a notary to meet you at a reasonable time and location. In either case, please contact Aundrea Cooper at 510-587-7012.

Henry Tang
October 28, 2003
Page 2

We need this completed by Monday, November 10, 2003. Please give me (925-683-2938) or Aundrea a call if you have any questions or need assistance.

Sincerely,



Joseph Chan
Chief Technology Officer

JC/anc

Enclosures

U.S. Postal Service™
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Postage	\$ 17.13
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Restricted Delivery Fee (Endorsement Required)	\$ 0.00
Total Postage & Fees	\$ 17.18

0005
14 Postmark
Here
10/29/2003

Sent To: Henry Tang
Street Add. No.: 1751 Magnolia Way
or PO Box No.:
City, State, Zip: Walnut Creek, CA 94595

See Reverse for Instructions

PS Form 3803, June 2002

SENDER: COMPLETE THIS SECTION

■ Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
 ■ Print your name and address on the reverse so that we can return the card to you.
 ■ Attach this card to the back of the mailpiece or on the front if space permits.

1. Article Addressed to:
 Henry Tang
 1751 Magnolia Way
 Walnut Creek, CA 94595

2. Article Number:
 (Transfer from service label) 7003 0500 0000 4201 7029

3. Service Type:
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.
 4. Authorized Delivery? (Extra Fee) Yes

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A. Signature: X

B. Received by (Printed Name):

C. Date of Delivery: 10/29/03

D. Is delivery address different from item 1?
 If YES, enter delivery address below:
 If NO, check box: Yes No

Domestic Return Receipt
102595 02-05-1540

PS Form 3811, August 2001

PATENT



FILE NO.: R0288-00010

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: James Chan-Chong et al.

App. Serial No.: 10/606,028

Examiner: Not Assigned

Filing date: June 25, 2003

Group Art Unit: 2151

For: METHOD AND SYSTEM FOR MONITORING PERFORMANCE OF
APPLICATIONS IN A DISTRIBUTED ENVIRONMENT

**STATEMENT OF FACTS IN SUPPORT OF
FILING ON BEHALF OF NONSIGNING INVENTOR
(CHRISTOPHER M. ZYCHOWSKI)**

I, Joseph L. Chan, aver as follows:

- (1) I am a co-inventor in the above-captioned patent application. I am employed by Cyanea Systems Corp. ("Cyanea").
- (2) Christopher M. Zychowski is a co-inventor in this application. Said Christopher M. Zychowski is a former employee of Cyanea. On or about October 28, 2003, I sent a letter, a copy of which is attached as Exhibit A, to the most recent address of Mr. Zychowski in Cyannea's files. This letter enclosed a form of Combined Declaration and Power of Attorney, a form of Assignment, and a copy of the above-captioned patent application as filed. The letter states that Mr. Zychowski's signature is required "on the Combined Declaration and Power of Attorney/Assignment." The letter stated that completion was needed by November 10, 2003.

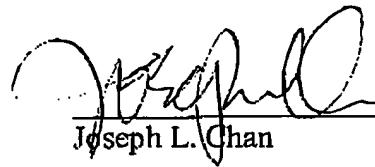
- (3) The letter was sent to Mr. Zychowski by Certified Mail. Cyannea received a return receipt, advising of a new address for Mr. Zychowski, and showing that the letter was delivered on November 10, 2003, and a copy of the return receipt is shown in Exhibit A.

I hereby declare that all statements made herein of my own knowledge are true, that all statements made on information and belief are believed to be true, and further, that these statements are made with the knowledge that willful false statements and the like so made are

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PATENT**FILE NO.: R0288-00010**

punishable by fine or imprisonment, or both, under 18 U.S.C. §1001, and that such willful false statements made jeopardize the validity of the application or any patent issued therefrom.

Dated: 11/17, 2003

Joseph L. Chan

Cyanea

October 28, 2003

VIA CERTIFIED MAIL

Chris Zychowski
550 Stanyan Street #9
San Francisco, California 94117

RE: U.S. Utility Patent Application No. 10/606,028
Inventor: James Chan-Shin Chong, et al
For: "METHOD AND SYSTEM FOR MONITORING PERFORMANCE
OF APPLICATIONS IN A DISTRIBUTED ENVIRONMENT"
Filed: June 25, 2003
DM File No.: R0288-00010

Dear Chris:

You are named as an inventor in the above referenced patent application. Your signature is required on the Combined Declaration and Power of Attorney/Assignment in order for the law firm to complete Cyanea's patent application. Under the terms and conditions of the Cyanea Systems Corp. Confidential Information and Invention Assignment Agreement you signed at the start of your employment, you are obligated to provide this information. The following documents are enclosed:

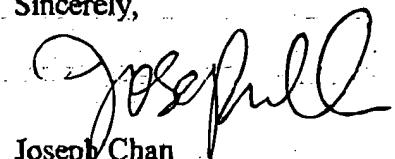
1. Patent application
2. Combined Declaration and Power of Attorney/Assignment
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Chris Zychowski
October 28, 2003
Page 2

We need this completed by Monday, November 10, 2003. Please give me (925-683-2938) or Aundrea a call if you have any questions or need assistance.

Sincerely,



Joseph Chan
Chief Technology Officer

JC/amc

Enclosures

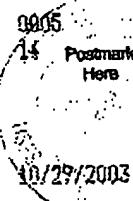
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Postage	\$ 13.13
Certified Fee	\$2.30
Return Receipt Fee (Endorsement Required)	\$1.75
Restricted Delivery Fee (Endorsement Required)	\$0.00
Total Postage & Fees	\$ 7.18



10/29/2003

Sanctu

Street, Apt. No.

or PO Box No.

City, State, ZIP+4

Chris Zychowski
550 Stanyan St #9
SF CA 94117

PS Form 3800, June 2001

See Reverse for Instructions

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- Attach this card to the back of the mailpiece, or on the front if space permits.

1 Article Addressed to:

COMPLETE THIS SECTION ON DELIVERY

A. Signature

B. Received by (Printed Name)

X *[Signature]* C. Date of Delivery

Agent

Addressee

D. Is delivery address different from item 1? Yes
 No

10/29/2003

E. If YES, enter delivery address below:

Chris Zychowski
ZYCH550 941172021 1703 16 11/06/03
NOTIFY SENDER OF NEW ADDRESS
ZYCHOWSKI'CHRIS
28C LIBERTY ST
SAN FRANCISCO CA 94114-3023

13. Service Type

Mail for Merchandise

Yes

1036

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